

AFFIDAVIT IN SUPPORT OF
REQUEST FOR ENTRY OF DEFAULT AS TO DEFENDANT PROPERTY

I, EVAN T. SHEA, being first duly sworn, deposes and says:

1. I am an Assistant United States Attorney for the District of Maryland.
2. The Affidavit is executed by me in accordance with Rule 55(a), Federal Rules of Civil Procedure, and Rule (c)(4), Local Admiralty Rule, for the purpose of enabling the Plaintiff, United States of America, to obtain an entry of default against \$4,400 U.S. Currency (the “Defendant Property”), and all persons claiming an interest in the Defendant Property, for failure to timely claim, answer or otherwise defend as to the Plaintiff’s verified complaint *in rem* for forfeiture.
3. On August 10, 2012, the Plaintiff filed a verified complaint *in rem* for forfeiture, alleging that the Defendant Property should be forfeited to the United States of America pursuant to 21 U.S.C. § 881(a)(6).
4. The Defendant Property was seized from a package sent through the U.S. mail to “J. Marks, P.O. Box 9018, Mammoth Lakes, CA 93546” with the return address of “A. Stern, 951 Fell St., Baltimore, MD 21231, on February 22, 2012. On or about May 16, 2012, the U.S. Postal Inspection Service received a claim letter for the defendant property from Andrew Stern in the administrative forfeiture. Pursuant to Rule G(4)(b)(i) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, copies of the Verified Complaint and other pertinent documents were served by mail on Andrew Stern, *pro se*, 1806 Thames Street, Apt. 18, Baltimore, Maryland 21231. A copy of the cover letter and return receipt, showing delivery on August 23, 2012, is annexed hereto as **Exhibit A**.
5. Beginning on August 22, 2012, notice of the pendency of this case was posted on an official government internet site (www.forfeiture.gov) pursuant to Rule G of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims for thirty (30) consecutive days. A copy of the certification of advertising annexed hereto as **Exhibit B**.

6. Pursuant to Supplemental Rule G(5)(a) & (b), any claimant to the Defendant Property was required to file a claim no later than 35 days after the written notice was sent, or 60 days after the first publication of notice on the official Government website. Those time periods expired on September 27, 2012, and October 21, 2012, respectively, and no extensions to these time limits have been requested, consented to, or granted by this Court.

7. No person or entity has filed either a claim or an answer to the complaint for forfeiture, or has otherwise appeared or answered in this regard, and the time to do so has expired.

8. Upon information and belief, no person or entity thought to have an interest in the Defendant Property is an infant, incompetent, or presently engaged in military service.

_____/s/_____
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